



PTO/SB/21 (04-04)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/849,573
	Filing Date	May 18, 2004
	First Named Inventor	Chernyak, Dimitri
	Art Unit	3762
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	018158-024000US

ENCLOSURES (Check all that apply)				
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration with Application Data Sheet Statement Under 37 CFR 3.73(b) Power of Attorney Copy of Notice to File Missing Parts of Nonprovisional Application Copy of Assignment Return Postcard		
<table border="1"><tr><td>Remarks</td><td>The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.</td></tr></table>			Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Townsend and Townsend and Crew LLP Scott M. Smith Reg. No. 48,268
Signature	
Date	September 17, 2004

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Marcia D. Shea	
Signature		Date September 17, 2004

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 130**Complete if Known**

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Art Unit	3762
Attorney Docket No.	018158-024000US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
		1001	770	2001 385 Utility filing fee	
		1002	340	2002 170 Design filing fee	
		1003	530	2003 265 Plant filing fee	
		1004	770	2004 385 Reissue filing fee	
		1005	160	2005 80 Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims <input type="text"/> ** =	<input type="text"/>	<input type="text"/>	<input type="text"/>
Independent Claims <input type="text"/> ** =	<input type="text"/>	<input type="text"/>	<input type="text"/>
Multiple Dependent <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
		1202	18	2202 9 Claims in excess of 20
		1201	86	2201 43 Independent claims in excess of 3
		1203	290	2203 145 Multiple dependent claim, if not paid
		1204	86	2204 43 ** Reissue independent claims over original patent
		1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large	Entity	Small	Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
				1051	130	2051 65 Surcharge - late filing fee or oath	130
				1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet.	
				1053	130	1053 130 Non-English specification	
				1812	2,520	1812 2,520 For filing a request for reexamination	
				1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
				1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
				1251	110	2251 55 Extension for reply within first month	
				1252	420	2252 210 Extension for reply within second month	
				1253	950	2253 475 Extension for reply within third month	
				1254	1,480	2254 740 Extension for reply within fourth month	
				1255	2,010	2255 1,005 Extension for reply within fifth month	
				1401	330	2401 165 Notice of Appeal	
				1402	330	2402 165 Filing a brief in support of an appeal	
				1403	290	2403 145 Request for oral hearing	
				1451	1,510	1451 1,510 Petition to institute a public use proceeding	
				1452	110	2452 55 Petition to revive - unavoidable	
				1453	1,330	2453 665 Petition to revive - unintentional	
				1501	1,330	2501 665 Utility issue fee (or reissue)	
				1502	480	2502 240 Design issue fee	
				1503	640	2503 320 Plant issue fee	
				1460	130	1460 130 Petitions to the Commissioner	
				1807	50	1807 50 Petitions related to provisional applications	
				1806	180	1806 180 Submission of Information Disclosure Stmt	
				8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
				1809	770	2809 385 Filing a submission after final rejection (37 CFR § 1.129(a))	
				1810	770	2810 385 For each additional invention to be examined (37 CFR § 1.129(b))	
				1801	770	2801 385 Request for Continued Examination (RCE)	
				1802	900	1802 900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$130)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Scott M. Smith	Registration No. (Attorney/Agent)	48,268	Telephone	650-326-2400
Signature				Date	September 17, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

JFW



SEP 20 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/849,573	05/18/2004	Dimitri Chernyak	018158-024000US

20350
 TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 6344

FORMALITIES LETTER



OC000000013289007

Date Mailed: 07/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

DSH

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE